

**City Council Minutes**  
**Tuesday, February 8, 2022**

On the 8<sup>th</sup> day of February 2022, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in a regular meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Henry Wilson	)	Mayor
Cathy Brotherton	)	Mayor Pro Tem
John Miller	)	Councilmembers
Jon McKenzie	)	
David Booe	)	
Cindy Shepard	)	
Gary N. Waldron	)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	City Attorney
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Greg Dickens	)	Executive Director of Public Works
Steve Bowden	)	Executive Director of Economic Development

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m. and the Pledge of Allegiance was given.

Councilmember Waldron gave the Invocation.

**CONSENT AGENDA**

1. Consider approval of the minutes for the January 25, 2022, City Council meetings
2. Consider authorizing the city manager to enter into an Interlocal Agreement with HEB Independent School District for Cooperative Purchasing
3. Consider authorizing the city manager to purchase Lightning Detection System

Councilmember Brotherton moved to approve the consent agenda. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard  
No: None

**PUBLIC HEARING(S) AND RELATED ITEM(S)**

4. Conduct a public hearing and consider Ordinance 2499, first reading, Site-2021-00013,

Vapor Maven, a special use permit for an electronic cigarette/vape store at 951 Melbourne Road, on Lot 2, Block 3A Northeast Mall Addition, being 3.829 acres

Mayor Wilson announced a public hearing to consider Ordinance 2499, first reading, Site-2021-00013, Vapor Maven, a special use permit for an electronic cigarette/vape store at 951 Melbourne Road, on Lot 2, Block 3A, Northeast Mall Addition, being 3.829 acres and recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed special use permit. Ms. Lazo stated the applicant is requesting to open an E-Cigarette/Vape store with 1,225 square feet. She stated the previous tenant, Vapor Den, closed over a year ago.

There being no one to speak, Mayor Wilson closed the public hearing

Councilmember Miller moved to deny Ordinance 2499, a Special Use Permit for Vape Maven at 951 Melbourne Road. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

5. Conduct a public hearing and consider Ordinance 2500, first reading, Z-2021-00008, Holloway Office, a zoning change from GB to OC-PD with a site plan for Lot 6, 7, and a portion of Lot 8A, Block A, Holloway Addition, being 1.14 acres located at 100 Harrison Lane

Mayor Wilson announced a public hearing to consider Ordinance 2500, first reading, Z-2021-00008, Holloway Office, a zoning change from GB to OC-PD with a site plan for Lot 6, 7, and a portion of Lot 8A, Block A, Holloway Addition, being 1.14 acres located at 100 Harrison Lane and recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed case. She stated the developer is requesting the rezoning and site plan to develop an office warehouse complex with 16,337 square feet. She reviewed access points, elevations and landscaping. She noted the developer is proposing 34% lot coverage with the building and 60% lot coverage of impervious surface. She stated the goal is low maintenance for the property and to have 14 tenants. Ms. Lazo stated no free-standing signage is being requested at this time.

Mayor Wilson recognized applicant Mark Cyrier, 337 Charleston Place, Hurst, Texas, who stated he and his brother purchased the property with the intention of this development and they currently have one in Watauga just like the proposed business. He stated people use the units for hobbies, mancaves, etc.

Mayor Wilson recognized Georgina Butcher, 109 Charlene Drive, Hurst, Texas, who expressed concern regarding loss of healthy trees, if this type of business represents the Councils vision for redevelopment in the area, and if there is appropriate screening between the business and neighbors to address lighting, odors, etc.

There being no one else to speak, Mayor Wilson closed the public hearing.

In response to Councilmembers' questions, Mr. Cyrier stated they have several types of businesses including upholstery, wood shops, antique car restoration and a quilter. He explained there are no businesses that are loud, etc. because they have to strictly enforce noise level for the neighboring tenants.

Councilmember Miller moved to approve Ordinance 2500, a zoning change and site plan for Z-2021-00008 Holloway Office. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

6. Conduct a public hearing and consider Ordinance 2501, first reading, amending the City of Hurst Code of Ordinances Section 27-3 Definitions by adding and removing definitions relative to massage establishments; amending City of Hurst Code of Ordinances Sections 27-11, 27-12, 27-13, 27-14, 27-15.1, 27-15.2 and 27-15.4 regarding massage establishments; amending City of Hurst Code of Ordinances Chapter 12 by adding a new Article XV entitled Massage Establishments

Mayor Wilson announced a public hearing to consider Ordinance 2501, first reading, amending the City of Hurst Code of Ordinances, Section 27-3 Definitions, by adding and removing definitions relative to massage establishments; amending City of Hurst Code of Ordinances Sections 27-11, 27-12, 27-13, 27-14, 27-15.1, 27-15.2 and 27-15.4 regarding massage establishments; amending City of Hurst Code of Ordinances Chapter 12 by adding a new Article XV entitled Massage Establishments and recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed ordinance amendments with the goal to better regulate existing massage establishments and perform annual inspections of the facilities as permitted by the Texas Occupations Code. She stated there are currently 34 establishments in the City and in response to Councilmembers' questions, Ms. Lazo stated staff will be able to inspect establishments anytime and it will be a team effort between Code, Fire and Police. She stated she was not aware of any complaints or issues at nail salons, but they can inspect on a complaint basis. City Attorney Matthew Boyle reviewed reasoning of a graduated penalty to ensure owners and operators have due process. Ms. Lazo also reviewed the timeline for notification and time to establish compliance.

Councilmember McKenzie moved to approve Ordinance 2501 adopting amendments to Chapter 27 and Chapter 12 of the Hurst Code of Ordinances. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

**OTHER BUSINESS**

7. Consider authorizing the city manager to enter into an Interlocal Agreement with Tarrant County for the 2022 Street Overlay Program

Executive Director of Public Works Greg Dickens reviewed the 2022 Street Overlay Program noting two street segments are proposed for rehabilitation this year, (1) Melbourne Road, east side, from Bedford-Eules Road to Cheryl Avenue and (2) Bentrige Drive from Grapevine Highway to Mid-Cities Boulevard. He stated the agreement with Tarrant County is similar to previous years, with the County assisting in the milling process by providing additional trucks to haul-off the waste material. He stated the County will also provide the equipment and labor for stabilizing the subgrade and placement of the asphalt overlays. He stated the total cost will not exceed \$326,000.

Councilmember Shepard moved to authorize the city manager to enter into an Interlocal Agreement with Tarrant County for the 2022 Street Overlay Program, in an amount not to exceed \$326,000. Motion seconded by Councilmember Waldron. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

8. Review of board, commission and committee meeting minutes:
- Library Board
  - Parks and Recreation Board

Council reviewed the submitted minutes and Councilmember Waldron congratulated Kristi Weaver on obtaining her Certified Parks and Recreation Executive Certificate, which only 35 others in Texas have received.

9. Review of upcoming calendar items – City Manager Clay Caruthers reviewed the Future Event Calendar. He also noted Republic Service delayed service during the recent ice storm and should be caught up at this time.
10. City Council Reports - Items of Community Interest

**PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED**

Mayor Wilson recognized Georgina Butcher, 109 Charlene Drive, who expressed concern with garbage being set out too early causing coyotes in the area.

**EXECUTIVE SESSION** in Compliance with the Provisions of the Texas Open Meetings Law, Authorized by Government Code, 551.072, deliberation of the purchase, exchange, lease, or value of real property (economic

**development/redevelopment) and to reconvene in Open Session at the Conclusion of the Executive Session to consider and take any necessary action.**

Mayor Wilson did not recess to Executive Session during the regular meeting.

11. Take any and all action necessary ensuing from Executive Session

As stated by the City Attorney, Councilmember Booe moved to authorize the acquisition of real property consistent with discussions in Executive Session and authorize the City Manager to execute all associated documents and to take all other necessary action. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

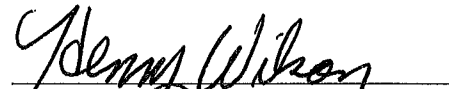
**ADJOURNMENT – The meeting adjourned at 7:09 p.m.**

**APPROVED** this the 22<sup>nd</sup> day of February 2022.

**ATTEST:**

  
Rita Frick, City Secretary

**APPROVED:**

  
Henry Wilson, Mayor